

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Timothy Franks,

Plaintiff,

v.

County of Lehigh, et. al.,

Defendants

CIVIL ACTION

No. 02-2652

March 31, 2005

**ORDER**

Currently before the court is defendants' Application for Counsel Fees and Associated Expenses (Docket #41). That Application follows a judgment in favor of defendants, which was entered on June 15, 2004. Defendants' motion for attorney's fees was filed on July 15, 2004. Federal Rule of Civil Procedure 54(d)(2)(B), which governs applications for attorney's fees, states that, "[u]nless otherwise provided by statute or order of the court, the motion [for attorney's fees] must be filed no later than 14 days after entry of judgment.... Defendants seek attorney's fees pursuant to 42 U.S.C. § 12205. That statute does not provide a different amount of time in which the prevailing party may seek attorney's fees. Nor did defendants seek (or receive) an order of the court granting

them an enlargement of time in which to file their Application. Thus, defendants Application is time-barred. Accordingly, it is hereby ORDERED that defendants Application is DENIED.

BY THE COURT:

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Pollak, J.